

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

OBRA LEE

Plaintiff

NO. 1:04CV288-P-D

BUTCH HOWARD, Sheriff, ET AL.
Defendants

ORDER OF DISMISSAL

The court, on its own motion, hereby dismisses without prejudice the above cause of action as to Defendant "Unknown" Mordecei, in that said action has been pending for several months, and counsel, after repeated requests from the Clerk of Court, has failed to prosecute this action as to Defendant "Unknown" Mordecei.

Therefore, the above action as to Defendant "Unknown" Mordecei is hereby dismissed without prejudice due to failure to prosecute by plaintiff.

Defendants Carl Fox and "Unknown" Ricker remain in this action.

This, the 16th day of August, 2005.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE